

**REMARKS**

Claims 1-31 are pending in this application. Claims 1-31 are amended, and new claims 32-48 are added, herein.

Claims 1, 7, 11, 12, 16, 23, 27, 28, 29, 30, and 31 are independent.

Except as noted below, the claims are amended for clarification and to delete unnecessary limitations, and not for purposes of patentability.

For example, various independent and dependent claims have been amended to further clarify that the present invention relates to difference detection. This has been done in some cases by further highlighting that the reference and difference images are for finding and entering a player input identifying only the differences between these images, and also that the difference image is a modified version of the reference image with the differences that the player is to find being of a type that are intended to be unanticipated by the player. Thus, the differences between the images displayed in a “spot-the-ball” game and those required by the present invention, as well as the differences between the user inputs received in a “spot-the-ball” game and those required to be entered or received by the present invention should now be even clearer.

**PRIOR RESTRICTION REQUIREMENT**

The withdrawal of the previously asserted restriction is noted with appreciation.

**TITLE**

The title is objected to.

The title is amended as suggested in the Official Action. Accordingly, it is respectfully requested that the objection be reconsidered and withdrawn.

**PRIORITY**

Applicant desires the benefit of foreign priority under 35 U.S.C. 119(a)-(d). Accordingly certified English translations of the foreign priority applications on which priority has been claimed are submitted herewith.

## **NON-STATUTORY SUBJECT MATTER**

Claims 27, 29 and 30 stand rejected under 35 USC 101, as directed to non-statutory subject matter.

Claims 27, 29 and 30 are amended to overcome the rejection.

Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

## **ANTICIPATION**

Claims 7-11 and 28 stand rejected under 35 USC 102(a), as anticipated by Goode et al. (GB 2,372,218A), and claims 1, 2, 7, 11-19, & 23-31 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kanisawa et al. (US 2005101 071 58 A1).

In view of submittal of translations of the priority applications, it is respectfully requested that the rejection based on Kanisawa be withdrawn in view of the claimed non-U.S. priority. The anticipation rejection on the basis of Goode' '218 is respectfully traversed.

With regard to Goode '218, each of the rejected independent claims (i.e. claims 7, 11 and 28) requires a control instruction for or the directing of a simultaneous presentation or display of a reference image for reference and a plurality of difference images for finding differences during play of a difference detection game. Claim 11 as previously pending and claims 7 and 28 as amended herein (in the case of claim 7 by the addition of features from previously recited in dependent claims 9-10) further require an image selecting instruction for allowing a player to select one difference image out of the plurality of difference images for playing the difference detection game or receipt of a player selection of one difference image out of the plurality of difference images for playing the difference detection game.

It is respectfully submitted that Goode '218 lacks any teaching of such features. More particularly, the relied upon disclosure in Goode '218 (i.e. page 1, lines 30-34) relates to what is broadcast to the receiver and not what is

presented or displayed to the player. Indeed, in the last 3 lines of the referenced paragraph, Goode states “the receiver comprising means for blocking the display of image pairs which are similar to previously displayed image pairs”, which, if not explicitly at least implicitly, makes clear that only image pairs (i.e. a single reference image and a single difference image) are presented or displayed to the player.

It is respectfully submitted that the Goode '218 disclosure on page 3, lines 20-22, as can be best understood, teaches a presentation or display of multiple difference images without simultaneously presenting or displaying a reference image. In the Goode '218 disclosure on page 3, lines 28-34 (i.e. 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs from the bottom of page 3) the referenced selections are explicitly described as relating to the selection of which video input frames will be used to generate an output frame for display, selection by a player of an incorrect area of difference, and selection by a player of a 'PASS" so as to move on to a display of another set of images, presumably either an image pair consisting of a reference and difference image, or multiple difference images.

Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

## **OBVIOUSNESS**

Claims I, 7-12, & 27-29 stand rejected under 35 U.S.C. 103(a) as obvious over Goode et al. (GB 2,248,560 A) in view of Walker (US 7,004,834, not 5,411,271, as confirmed with the Examiner ). The other claims also stand rejected as obvious over the base combination of references and (i) in the case of claims 2, 13, 16, & 30 in further view of Mirando (US 5,411,271 A), (ii) in the case of claims 3 & 5 in further view of Mirando and Klingberg (US 7,186,116 B2), (iii) in the case of claims 4 & 6 in further view of Mirando and Baerlocher (US 6,749,502 B2), (iv) in the case of claims 14 & 15 in further view of Mirando and Leyva et al. (US 6,663,392 B2), and (v) in the case of claims 17-26 & 31 in further view of Mirando, Egan et al. (GB 2,231,189 A), and McArthur (GB 2,229,371 A). Claims 1, 12, 16, 27 and 29-30 are amended to further distinguish

over the applied art. The rejection is respectfully traversed with respect to claims 9-10, 11, 23, and 31.

**The Independent Claims Distinguish Over the Combination of Goode and Walker**

**Claims 7, 11, and 28**

As discussed above, each of claims 7, 11 and 28 requires a control instruction for or the directing of a simultaneous presentation or display of a reference image for reference and a plurality of difference images for finding differences during play of a difference detection game. Claim 11 as previously pending, and claims 7 (which now incorporates features previously recited in its dependent claims 9-10) and 28 as amended herein, further require either an image selecting instruction for allowing a player to select one difference image out of the plurality of difference images for playing the difference detection game or a player selection of one difference image out of the plurality of difference images for playing the difference detection game.

The Official Action points to the disclosure in Goode '560 on page 1, lines 11-21, as suggesting these features. However, while Goode '560 does disclose the simultaneous display of a reference image and a plurality of difference images, as understood Goode lacks any suggestion of a player being allowed to select one of the plurality of images for playing the difference detection game and Walker does not cure this defect in Goode.

Accordingly, it is respectfully requested that the rejection of these claims (and their dependencies) be reconsidered and withdrawn.

**Claims 1, 12, 16, 27 and 29-30**

Each of independent claims 1, 12, 16, 27 and 29-30 requires an instruction for or the directing of switching between and alternately presenting or displaying a reference image for reference and a difference image for finding differences during play of the difference detection game. Each of these claims have been amended herein to further require that the difference image be a

modified version of the reference image with the differences to be detected being of a type that are intended to be unanticipated by the player. Thus, the invention of each of these claims requires that a reference image be switched with a particular type of image, i.e. one that is a modified version of the reference image with the differences to be detected of a type intended to be unanticipated by the player.

In rejecting these claims, as understood the Official Action relies on Goode '560, lines 11-22, (see paragraph 38 of the Official Action) as suggesting such switching. As understood from paragraph 45, the Official Action also relies on Walker's disclosure in column 14, lines 24-45 as suggesting such switching.

However, the referenced disclosure in Goode '560 relates to a difference detection game with only a simultaneous display of images disclosed. It is respectfully submitted that nowhere in Goode '560 is there a disclosure of anything other than simultaneous display of images, and certainly nothing to suggest the switching between and alternately presenting or displaying of a reference image and a difference image to the player at a terminal device. The referenced disclosure in Walker relates to changing particular game symbols (not switching between and alternately displaying reference/difference images). Thus, it is unclear how it is contended that the referenced disclosures meet the previously recited switching limitations.

Notwithstanding this, to expedite allowance these claims are amended herein to further clarify that the reference image be switched and alternately displayed with a difference image that is a modified version of the reference image with the differences to be detected being of a type that are intended to be unanticipated by the player. It is respectfully submitted that in Walker the type of difference is intended to be known to the player. That is, in Walker, to the extent it can be considered relevant in this regard, the player is intended to know that a previously selected number or symbol is replaced.

Accordingly, it is respectfully requested that the rejection of these claims (and their dependencies) be reconsidered and withdrawn.

Each of independent claims 23 and 31 requires (i) directing transmission to or display by the terminal devices of a replay image from the different game as a reference image in a difference detection game based on stored play history data (received from each of the terminal devices for a different game than the difference detection game and that had been played on the terminal devices before play of the difference detection game), (ii) creation of a difference image different from the replay image for the difference detection game based on the stored play history data, and (iii) directing transmission to or display by the terminal devices of the created difference image.

Thus, what is required is that game history data from another game played before a difference detection game, be used for reference and difference images in the difference detection game, and that the former of these two images be a replay image from the other game and the later of these two images be created from the replay image from the other game.

In rejecting these claims, the Official Action relies on the disclosure of McArthur on page 4, line 27, through page 6, line 5, and of Egan page 7, line 27, through page 8, line 5, as suggesting such features.

However, as understood, the referenced disclosure in McArthur only describes the displaying images created from a replay image (i.e. the replayed image includes both the +'s as positioned by the player and the ball. Thus, there is no display of the replay image itself.

Furthermore, McArthur only describes displaying the created images in the same game (i.e. in the same “spot-the-ball” game) associated with the replay images, not a different game, such as a difference detection game. McArthur lacks any suggestion whatsoever of using the historic images from one game as images in another game. McArthur is not interested in other than “spot-the-ball” games. Hence, McArthur does not address any games that are different from the “spot-the-ball” game, such as a difference detection game, and there would be no benefit in using created images from one “spot-the-ball” game in a another, e.g. Egan’s, “spot-the-ball” game.

The referenced disclosure of Egan teaches only that credits earned playing one game can be used to play different game, and also lacks any suggestion whatsoever of using the historic images from one game as images in another game.

Hence, it is respectfully submitted that neither McArthur nor Egan nor any of the other references, nor their combination, suggest establishment of the claimed relationship between images of one game and another game, or more particularly suggest the claimed use of a replay image from one game (e.g. a spot-the-ball game) as a reference images in a difference detection game and an image created from that reply image also as a reference image in the difference detection game.

Accordingly, it is respectfully requested that the rejection of these claims (and their dependencies) be reconsidered and withdrawn.

Other features recited in the dependent claims are believed to further distinguish over the applied prior art combinations.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

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File No.: 1227.43060x00  
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PATENT

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No.1227.43060x00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,  
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~~Game Server and Program~~ DIFFERENCE IMAGE DETECTION GAME SERVER

**CROSS-REFERENCE TO RELATED APPLICATIONS**

This application is based upon and claims the benefit of priorities from the prior Japanese Patent Application No. 2002-239288 filed on August 20 in 2002, Japanese Patent Application No. 2002-239289 filed on August 20 in 2002, Japanese Patent Application No. 2002-258506 filed on September 4 in 2002, Japanese Patent Application No. 2002-289140 filed on October 1 in 2002, Japanese Patent Application No. 2002-289141 filed on October 1 in 2002, the entire contents of which are incorporated herein by reference.

**BACKGROUND OF THE INVENTION**

**FIELD OF THE INVENTION**

This invention relates to a game server and program.

**RELATED ART**

A difference detection game is one of the games that have long been popular among the general public since the game is simple in terms of its game structure and in terms of its rules and it is also good for mental exercise. Here, the difference detection game may refer to find-the-differences or spot-the differences game or puzzle. In the game, two pictures are typically shown side by side so that a player can compare them to find the differences.

This difference detection game has been played by use of images drawn on paper, however, recently, this game has also been played as an arcade game. In these games, generally, a